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OFFICE OF PETITIONS

Paper No. 25

In re Application of
Charles E. HUNTER
Application No. 09/436,281
Filed: November 8, 1999
Attorney Docket No. WT-I-CIP

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ON PETITION

This is a decision on the renewed petition under 37 CFR 1.137(b), filed May 2, 2006, to revive the above-identified application.

The petition is **GRANTED**.


The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed June 17, 2003, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) was obtained. Accordingly, the above-identified application became abandoned on September 18, 2003.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an amendment, Information Disclosure Statement, a Request for Continued Examination, and the \$790 filing fee; (2) the petition fee of \$1500; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the final Office Action of June 17, 2003 is accepted as having been unintentionally delayed.

Since the \$1500 petition fee and the \$790 RCE filing fee submitted with the response on May 2, 2006 was previously submitted with the petition filed August 4, 2005, these fees are unnecessary and will be credited to petitioner's deposit account no. 23-3050.

Telephone inquiries concerning this decision should be directed to David A. Bucci at (571) 272-7099.

The application file is being referred to Technology Center AU 2611 for appropriate action on the concurrently filed Request for Continued Examination, amendment, and Information Disclosure Statement.


David Bucci
Petitions Examiner
Office of Petitions

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

| REQUEST FOR PATENT FEE REFUND | | | | | | | | | | | |
|---|-----------------------------------|---|--------------|----------|---|---|----|---|---|---|---|
| 1 Date of Request: <u>1/7/09</u> | | 2 Serial/Patent # <u>09/436,281</u> | | | | | | | | | |
| 3 Please refund the following fee(s): | | 4 PAPER NUMBER | 5 DATE FILED | 6 AMOUNT | | | | | | | |
| X | Filing | 22 | 5/2/06 | \$ 790 | | | | | | | |
| | Amendment | | | \$ | | | | | | | |
| | Extension of Time | | | \$ | | | | | | | |
| | Notice of Appeal/Appeal | | | \$ | | | | | | | |
| X | Petition | 22 | 5/2/06 | \$ 1500 | | | | | | | |
| | Issue | | | \$ | | | | | | | |
| | Cert of Correction/Terminal Disc. | | | \$ | | | | | | | |
| | Maintenance | | | \$ | | | | | | | |
| | Assignment | | | \$ | | | | | | | |
| | Other | | | \$ | | | | | | | |
| | | 7 TOTAL AMOUNT OF REFUND | | \$ 2290 | | | | | | | |
| | | 8 TO BE REFUNDED BY: | | | | | | | | | |
| 10 REASON: | | Treasury Check | | | | | | | | | |
| | Overpayment | X Credit Deposit A/C #: | | | | | | | | | |
| X | Duplicate Payment | 9 <table border="1" style="display: inline-table; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 20px;">2</td> <td style="width: 20px;">3</td> <td style="width: 20px;">--</td> <td style="width: 20px;">3</td> <td style="width: 20px;">0</td> <td style="width: 20px;">5</td> <td style="width: 20px;">0</td> </tr> </table> | | | 2 | 3 | -- | 3 | 0 | 5 | 0 |
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| | No Fee Due (Explanation): | | | | | | | | | | |
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| 11 REFUND REQUESTED BY: | | | | | | | | | | | |
| TYPED/PRINTED NAME: <u>David Bucari</u> | | TITLE: <u>Petitions Examiner</u> | | | | | | | | | |
| SIGNATURE: <u>[Signature]</u> | | PHONE: <u>272-2099</u> | | | | | | | | | |
| OFFICE: <u>Office of Petitions</u> | | | | | | | | | | | |
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| APPROVED: <u>[Signature]</u> | | DATE: <u>1/10/07</u> | | | | | | | | | |

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